

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 5, 2007

D051479 In re Christian Z., a Juvenile

The appeal is dismissed. McIntyre, J.; We Concur: Nares, Acting P.J., McDonald, J.

**D051573 Leslie R. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**

The attorney for petitioner Leslie R. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

**D049199 High Desert Power Trust 2000-A v. Southern California Logistics Airport
Authority, et al.**

Upon written request filed by appellant, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 6, 2007

D050663 People v. Mitchell

Judgment affirmed. McDonald, J.; We Concur: Nares, Acting P.J., Irion, J.

D050234 People v. Lovejoy

The judgment is modified by striking the one-year Penal Code section 12022, subdivision (b)(1) knife use enhancement. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward it to the Department of Corrections and Rehabilitation. McIntyre, J.; We Concur: Benke, Acting P.J., McDonald, J.

D051578 In re Daniel U., a Juvenile

All proceedings in this cause have permanently abated by reason of appellant's death. The Superior Court is directed to enter its order to that effect in the record. There no longer being an appellate objective, the appeal is dismissed.

D051759 In re Malone on Habeas Corpus

The petition is denied.

D050392 People v. Pierce et al.

The judgments are affirmed. Haller, Acting P.J.; I Concur: O'Rourke, J.; I Concur: Aaron, J. (opinion)

D051732 In re Haynes on Habeas Corpus

The petition is denied because petitioner has not established that he sought relief from the superior court first.

D051373 In re Janoe on Habeas Corpus

The petition is denied.

D051383 In re Vega on Habeas Corpus

The petition is denied.

D051929 In re Uebbing on Habeas Corpus

The petition is denied.

D051274 In re Lane on Habeas Corpus

The petition is denied.

D048907 People v. Williams

The opinion filed October 17, 2007, is ordered certified for publication.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 6, 2007 (Continued)

D051867 In re Tate on Habeas Corpus

The petition is denied without prejudice to refiling in the appropriate appellate district. The clerk is directed to retain one copy of the petition for our records and to return the original petition and all other copies to Tate so he may file them in the appropriate court. If we are correct in our assumption that the sentencing court was located in Los Angeles County, the petition should be refiled in the Court of Appeal, 2nd Appellate District, 303 S. Spring Street, Los Angeles, CA 90013.

D051800 Andrea S. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Kelly V. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case as to Kelly V. is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 7, 2007

D051026 In re F.D. et al., Juveniles

The judgment is affirmed. Nares, Acting P.J.; We Concur: McIntyre, J., Aaron, J.

D048084 People v. Mack

The convictions are affirmed. The judgment is reversed as to the execution of sentence on counts 1 and 9 pursuant to section 654, and the matter is remanded for resentencing and for correction of the abstract of judgment. McDonald, Acting P.J., We Concur: O'Rourke, J., Irion, J.

D051109 In re Melanie R., a Juvenile

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D048368 People v. Parrish

The judgment is affirmed. McConnell, P.J.; We Concur: Huffman, J., McIntyre, J.

D051712 K-Mart v. Workers' Compensation Appeals Board et al.

The petition for writ of review, letter brief from the Worker's Compensation Appeal's Board (WCAB) dated October 17, 2007, and letter brief from real party in interest Debra (Debbie) Diaz dated November 1, 2007, have been read and considered by Justices Benke, Huffman and Nares. At the request of the WCAB, the August 17, 2007, decision is annulled and the matter is remanded to the WCAB for consideration in light of *Vera v. WCAB* (2007) 154 Cal.App.4th 996.

D051774 In re Belmont on Habeas Corpus

The petition is denied.

D051574 In re Belmont on Habeas Corpus

The petition for writ of habeas corpus has been read and considered by Justices Benke, Huffman and Nares. The petition is denied without prejudice to being filed in the superior court after the conclusion of the trial court proceedings and any related appellate proceedings.

D051191 Hannah v. Holloway

The appeal filed June 20, 2007, is dismissed because appellant did not timely deposit costs for preparing the record on appeal.

D049974 Wedbush Morgan Securities Inc., v. Wilson

Judgment affirmed. Appellant to pay respondent's costs on appeal. Haller, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 8, 2007

D050347 People v. Armando L.

D051301 In re Armando L., a Juvenile

(Consolidated cases) The orders denying Armando's motion to terminate jurisdiction nunc pro tunc to his 21st birthday in case No. J212594 and amending the terms of his probation in case No. SCD192563 are reversed. The matter is remanded to the trial court with directions to dismiss case No. J212594 and to strike the probation conditions added to case No. SCD192563. O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.

D050622 In re Jayden T., a Minor

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., McDonald, J.

D050652 People v. Anzalone

The judgment is affirmed. Nares, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D049371 Courtney v. San Diego National Bank

The judgment on Courtney's cross-complaint is reversed. The trial court is directed to enter judgment in favor of SDNB on Courtney's cross-complaint. SDNB is awarded costs on appeal. Aaron, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D048786 Heaton v. Perron

The judgment is affirmed. Perron is entitled to costs on appeal. Huffman, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D050288 People v. Strickland

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Nares, J.

D051228 In re Nolan W., a Juvenile

The appeal is dismissed. O'Rourke, J.; We Concur: Benke, Acting P.J., Haller, J.

D049371 Courtney v. San Diego National Bank

The judgment on Courtney's cross-complaint is reversed. The trial court is directed to enter judgment in favor of SDNB on Courtney's cross-complaint. SDNB is awarded costs on appeal. Aaron, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D050299 People v. Diaz

The judgment is affirmed. Huffman, J.; I Concur: Benke, Acting P.J.,
I Concur in the Result: McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 8, 2007 (Continued)

D051007 In re Tatiana V. et al., a Juvenile

D051276 In re Tatiana V. et al., a Juvenile

Respondent's motion to consolidate the above-entitled appeals is GRANTED. All documents will be filed under D051007

D049874 Zaya v. Chaker

The petition for rehearing is denied.

D051775 Hartt v. Superior Court Imperial County/The People

The petition is denied.

D051376 In re Ruiz on Habeas Corpus

The petition is denied.

D051386 In re Reyes on Habeas Corpus

The petition is denied.

D051051 In re Fullbright on Habeas Corpus

The petition is denied.

D051252 Han v. The Superior Court of San Diego County/Jun

The petition is denied.

D051244 Foothill/Eastern Transportation Corridor Agency et al. v. The Superior Court of San Diego County/Native American Heritage Commission

The petition is denied.

D051233 In re Schmitt on Habeas Corpus

The "petition for rehearing" of this court's September 26, 2007, order to consider habeas petition No. D051233 with pending appeal People v. Schmitt, No D051473, is denied.

D051654 Bryant v. Superior Court of San Diego County/People

The petition for writ of mandate and request for stay have been read and considered by Justices Huffman, Haller and O'Rourke. The petition is denied as petitioner has an adequate appellate remedy. The stay issued September 25, 2007 is vacated.

D051942 Jack v. The Superior Court of San Diego County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
November 9, 2007

D050447 Wood v. Emmerson et al.

The petition for rehearing is denied.

D048746 U.S. Grant Hotel Ventures, LLC v. American Property Management Corporation et al.

D050053 U.S. Grant Hotel Ventures, LLC v. American Property Management Corporation et al.

The "Stipulation and Request to Consolidate Related Appeals," is accepted. The appeals are consolidated for purposes of oral argument. All documents will be filed under D048746.

D047251 People v. Darling

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Nares, J.

D051453 In re Alissa L., a Juvenile

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D050971 In re Taje H., a Juvenile

The order is affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., Aaron, J.

D051099 Cox v. Elouaradia

Upon written stipulation filed by the parties to the appeal, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)